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INFO RUEHZO/AFRICAN UNION COLLECTIVE PRIORITY
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RUCNDT/USMISSION USUN NEW YORK PRIORITY 1029
RUEKJCS/JOINT STAFF WASHINGTON DC PRIORITY
RUEKJCS/SECDEF WASHINGTON DC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 PARIS 007549

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E.O. 12958: DECL: 11/27/2016

TAGS: [PREL](#) [PGOV](#) [PINR](#) [RW](#) [FR](#)

SUBJECT: RWANDA/FRANCE: "WE'RE BACK TO ZERO"

REF: A. KIGALI 1133

[1](#)B. KIGALI 1130

[1](#)C. KIGALI 1125

Classified By: Political Minister-Counselor Josiah Rosenblatt, 1.4 b/d.

1, (C) SUMMARY: A senior MFA contact told us on November 27 said that France was "surprised and disappointed" that Rwanda had decided to sever relations in the wake of Judge Jean-Louis Bruguiere's decision to seek arrest warrants against nine Rwandans and recommend that President Kagame be prosecuted in connection with events in Rwanda in 1994. Relations with Rwanda were now "back to zero," we were told. GOF personnel in Rwanda were leaving the country and were shutting down all French-sponsored programs, with Belgium expected to agree to serve as protecting power. The Rwandan mission in France would likely close as well, although no formal request had been made by the GOF. Our MFA contact was pessimistic on the immediate future of relations with Rwanda.

Judge Bruguiere's decision was taken independently, with no consultation or request for guidance from the MFA, and his decision may have been affected by the pending end of his tenure as a judge. END SUMMARY.

BACKGROUND

[1](#)2. (C) MFA DAS-equivalent Helene Le Gal on November 27 provided French views on the November 24 decision by Rwanda to end diplomatic relations with France (reftels). This followed the November 17 issuance of Judge Jean-Louis Bruguiere's report that included international arrest warrants against nine Rwandans and Bruguiere's recommendation that Rwandan President Kagame be prosecuted, all in connection with the April 6, 1994, shooting down of then-President Habyarimana's plane, which was crewed by French citizens. One of the other victims was then-President of Burundi Ntaryamira. Families of the French crew members who died in the incident brought suit in France and Bruguiere has served as investigative judge (with broad latitude to seek evidence) in the case since 1998.

"SURPRISED AND DISAPPOINTED"

[1](#)3. (C) Le Gal, visibly deflated, said that France was "surprised and disappointed" by Rwanda's latest decision. She said that on November 24, the French were initially not surprised by Rwanda's decision to withdraw its Ambassador but were taken aback by the subsequent decision to sever relations completely. Le Gal mused several times that "we will have to start all over" and "we're back to zero."

BELGIUM TO REPRESENT FRENCH INTERESTS,
RWANDANS EXPECTED TO CLOSE THEIR PARIS EMBASSY

14. (C) The departure of GOF officials from Rwanda was taking place smoothly and the last French official was expected to leave by the end of November 27, the deadline Rwanda had imposed. Le Gal said that all GOF activities in Rwanda were ending, including cultural activities and various assistance programs. Le Gal said that GOF budget constraints likely meant that the French mission in Rwanda would close completely "and not just go into hibernation." France has asked that Belgium serve as protecting power; the Belgians had not yet formally responded to the GOF but Le Gal believed they would agree. When asked whether Rwanda's Paris Embassy would close and its personnel return to Rwanda, Le Gal said that she expected that would be the case. She said that no one on the GOF side, to her knowledge, had contacted the Rwandan Embassy to request formally a reciprocal closing. However, "they know what they have to do and I expect that they'll close and leave," she said.

FUTURE LOOKS BLEAK

15. (C) Asked about next steps, Le Gal replied glumly that "there aren't any." She said that Rwanda had taken a very "extreme step" which did not augur well for any rapid resumption on either side to build bridges. "I hope they realize that it is much easier to sever relations than it is to restore them," she said. Noting the independence of France's judiciary, Le Gal said that if Rwanda conditioned a resumption of relations on the ending of Bruguiere's investigation and the quashing of his warrants, it should not expect a change in the situation anytime soon.

BRUGUIERE AND JUDICIAL INDEPENDENCE

16. (C) Le Gal reiterated the degree of independence judges such as Bruguiere enjoy in France. So far as Le Gal was

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aware, he had not conferred with the MFA or other GOF elements during the course of the case or before his recent decision. Le Gal said that she and her colleagues kept themselves informed of his investigation largely through press reports. Le Gal noted that Bruguiere had been investigating the matter since 1998 and was bound to come to a conclusion at some point. She remarked that he would soon stop working as a judge in order to seek elective office as a Deputy representing a district in Southwestern France, and he no doubt wanted to close his cases before ending his tenure as a judge.

17. (C) As a practical matter, Le Gal conjectured that the international arrest warrants would serve largely as a nuisance to the nine Rwandans, who would find ways to travel despite the warrants. They could do so by using diplomatic passports and claiming to be on official missions. Le Gal did not believe that Bruguiere's recommendation that Kagame be prosecuted would amount to much either. Prosecuting a sitting head of state was no simple matter and Kagame, she believed, could tie the international legal system into knots if a case stemming from Bruguiere's recommendation were ever initiated. Le Gal also wondered whether Bruguiere may have exceeded his brief in bringing the genocide issue into his case. He was supposed to investigate the destruction of the plane at the behest of the French victims' families, not to delve into the broader issue of the subsequent genocide. Le Gal refrained from expressing further her views on the merits of Bruguiere's case, remarking that "given the time that has passed, the conflicting accounts, and all the rumors and half-truths, can anyone as far removed as we are really say what happened?"

18. (C) COMMENT: Le Gal's disappointment was visible at every point in the meeting. She resisted the temptation to criticize Bruguiere severely and managed to maintain a degree of respect for the job he has had to do in investigating the case. Nonetheless, she and her colleagues would have to live with the consequences of his investigation, and she made it

clear that not only had a lot of work at the MFA and in
Rwanda gone down the drain but that the future also looked
quite bleak. END COMMENT.

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